IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 12872 of 2005

Between:

N. Maddaiah, S/o. Pullanna,
Banaganapalle Depot, R/o. Banaganapalle, Kurnool District.

..... PETITIONER

AND

1 The APSRTC, Rep. by its Regional Manager, Kurnool Region, Kurnool District.
2 The Depot Manager, APSRTC, Banaganapalle, Kurnool district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondents herein in not granting the selection grade scale Stagnation increments to the petitioner on completion of 12 years service from the date of initial appointments illegal, unjust and arbitrary contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increment to the petitioner on completion of 12 years of service irrespective of his transfer from the date of initial appointment w.e.f. 3-8-1974 and to pay the arrears by refixing the pay of the petitioner forthwith.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondents: MR.P.VINAYAKA SWAMY, Standing Counsel for A.P.S.R.T.C.

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not granting the selection grade scale stagnation increment to the petitioner on completion of 12 years of service from the date of his initial appointment as illegal, unjust and arbitrary.

According to the writ petitioner, he completed 12 years of service in the respondents-Corporation, and therefore, he is entitled to the stagnation increment. As the stagnation increment/Special Grade was not sanctioned to him, this writ petition is filed.

The learned counsel for the petitioner has contended that the total service rendered by the petitioner in the respondents-Corporation has to be taken into consideration for granting stagnation increment/Special Grade.

On the other hand, the learned standing counsel for the respondents has contended that as the petitioner has not completed 12 years of service in a particular region, he is not entitled to such benefits.

This Court, in W.A.No.1301 of 2000, dated 29.10.2002 held that it is the total service rendered by the petitioner in the respondents-Corporation that counts, but not in the division or region. Following the above judgment, the total service of the petitioner has to be taken

into consideration in granting stagnation increment/Special Grade.

Therefore, the respondents are directed to consider the case of the petitioner for granting stagnation/Special Grade increment, considering the total service rendered by him in the Corporation, within a period of two months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

17th June, 2005

bcj

To

1 The Regional Manager, APSRTC, Kurnool Region, Kurnool District.
2 The Depot Manager, APSRTC, Banaganapalle, Kurnool district.

3. Two C.D. copies